

# HOUSE BILL 269

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2lr0018

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By: **Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)**

Introduced and read first time: January 27, 2012

Assigned to: Environmental Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 6, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Natural Resources – Boating – Disclosure of Personal Information**

3 FOR the purpose of narrowing the prohibition against and exception for the disclosure  
4 of certain records held by the Department of Natural Resources by applying the  
5 prohibition and exception only to personal information about the owner of a  
6 registered vessel; clarifying the application of certain exceptions to the  
7 prohibition under certain circumstances against the Department disclosing  
8 certain personal information about an owner of a registered vessel; and  
9 generally relating to disclosure of records held by the Department of Natural  
10 Resources.

11 BY repealing and reenacting, without amendments,  
12 Article – Natural Resources  
13 Section 8–704.1  
14 Annotated Code of Maryland  
15 (2007 Replacement Volume and 2011 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – State Government  
18 Section 10–616(s)  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume and 2011 Supplement)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Natural Resources**

4 8–704.1.

5 (a) Except as provided in subsection (b) of this section, upon written request  
6 by the owner of a vessel registered under this subtitle that information about that  
7 person not be disclosed, the Department may not furnish to any person the name,  
8 address, or other identifying information about the owner of the registered vessel.

9 (b) This section does not prevent the Department from furnishing  
10 information under this section:

11 (1) To another governmental agency;

12 (2) If not requested for the purpose of preparing a mailing list, to a  
13 person requesting the information in connection with the compilation of statistical  
14 data;

15 (3) As to the owners of vessels registered under this subtitle, to a  
16 person whose request for the information is determined by the Department to be  
17 limited to, and necessary for, the protection of the ownership, safe operation, proper  
18 maintenance, or repair of the vessel; or

19 (4) To a financial institution, as defined in § 1–101(i) of the Financial  
20 Institutions Article, or its agents, employees, or contractors, requesting information  
21 under § 10–616(s) of the State Government Article.

22 **Article – State Government**

23 10–616.

24 (s) (1) [Except as provided in] **SUBJECT TO § 8–704.1 OF THE**  
25 **NATURAL RESOURCES ARTICLE AND** paragraph (2) of this subsection, a custodian  
26 may not knowingly disclose a public record of the Department of Natural Resources  
27 containing personal information **ABOUT THE OWNER OF A REGISTERED VESSEL**.

28 (2) Notwithstanding paragraph (1) of this subsection, a custodian shall  
29 disclose personal information **ABOUT THE OWNER OF A REGISTERED VESSEL** for use  
30 in the normal course of business activity by a financial institution, as defined in §  
31 1–101(i) of the Financial Institutions Article, its agents, employees, or contractors, but  
32 only:

33 (i) to verify the accuracy of personal information submitted by  
34 the individual to that financial institution; and

1 (ii) if the information submitted is not accurate, to obtain  
2 correct information only for the purpose of:

- 3 1. preventing fraud by the individual;  
4 2. pursuing legal remedies against the individual; or  
5 3. recovering on a debt or security interest against the  
6 individual.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 July 1, 2012.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.